

LEGAL NOTICE
RFQ FOR ENGINEERING SERVICES

REQUEST FOR QUALIFICATIONS -- Notice is hereby given that Metroplan is seeking letters of interest from qualified firms to provide engineering design services for a Rail Grade Separation on JP Wright Loop Road over the Union Pacific Railroad in the City of Jacksonville, Arkansas. The work will generally consist of engineering design services to include surveys, environmental documentation, roadway plans, bridge plans, and construction documents. Work is scheduled to begin on or about December 1, 2017. Required submittals must be received by Metroplan; 501 W. Markham, Suite B, Little Rock, AR 72201; by 11:00 a.m. CDT, Tuesday, September 5, 2017. To obtain a copy of the complete RFQ including submittal guidelines, preliminary scope of work, requirements, and Notice of Nondiscrimination download from www.metroplan.org or contact Casey Covington at 501.372.3300 (hearing impaired may dial 711).

Please send proof of publication with billing to:
Metroplan
Attn: Cindy Segebarth
501 W. Markham, Ste. B
Little Rock, AR 72201

For additional information contact:
Casey Covington

CENTRAL ARKANSAS REGIONAL TRANSPORTATION STUDY

REQUEST FOR QUALIFICATIONS FOR ENGINEERING DESIGN SERVICES JP Wright Loop Road Rail Grade Separation (Jacksonville, Arkansas)

Prepared by
METROPLAN

A Council of Local Governments

In cooperation with:

United States Department of Transportation
Arkansas Department of Transportation
Rock Region Metro Transportation Authority
and

City of Alexander	City of Haskell	City of Traskwood
City of Austin	City of Jacksonville	City of Wooster
City of Bauxite	City of Little Rock	City of Vilonia
City of Benton	City of Lonoke	City of Ward
City of Bryant	City of Maumelle	City of Wrightsville
City of Cabot	City of Mayflower	Faulkner County
City of Cammack Village	City of Mount Vernon	Lonoke County
City of Conway	City of North Little Rock	Pulaski County
City of Greenbrier	City of Shannon Hills	Saline County
City of Guy	City of Sherwood	

Notice of Nondiscrimination:

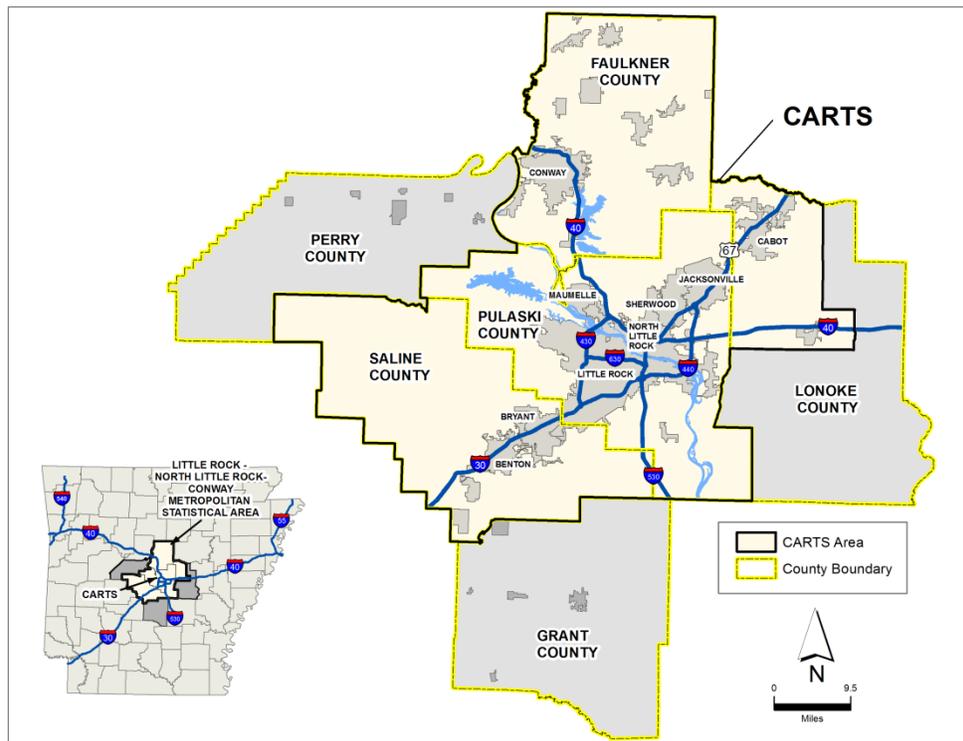
Metroplan complies with all civil right provisions of Federal statutes and related authorities that prohibit discrimination in programs and activities receiving Federal financial assistance. Therefore, Metroplan does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in Metroplan's programs and activities, as well as Metroplan's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding Metroplan's nondiscrimination policies may be directed to Susan Markman, ADA/504/Title VI Coordinator, 501 West Markham Street, Suite B, Little Rock, AR 72201, (501) 372-3300, or the following e-mail address: SMarkman@metroplan.org. (Hearing impaired may dial 711.) This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.

REQUEST FOR QUALIFICATIONS FOR ENGINEERING DESIGN SERVICES for JP WRIGHT LOOP ROAD RAIL GRADE SPERATION

August 13, 2017

A. INTRODUCTION

Metroplan is a council of local governments and metropolitan planning organization (MPO) based in Little Rock, Arkansas. Metroplan's total membership includes 24 cities, four counties, the Rock Region Metro Transportation Authority (RRMTA), and the Arkansas Department of Transportation (Department). Metroplan's primary mission is developing long-range transportation plans and short-range transportation improvement programs as part of the comprehensive, continuing, coordinated planning process for the metropolitan planning area. This planning process and the resulting transportation projects are financed in part by the U.S. Department of Transportation. The Central Arkansas Regional Transportation Study (CARTS) area includes major portions of the four most populous counties in the six-county Little Rock-North Little Rock-Conway Metropolitan Statistical Area (MSA) as illustrated in **Figure 1**.



B. PROJECT BACKGROUND

In 1997 Metroplan prioritized twelve rail grade separations within Central Arkansas for completion by 2020. The JP Wright Loop Road Rail Grade Separation within Jacksonville (the city) will be the eleventh of these overpass projects completed (one project was cancelled). Jacksonville has requested that Metroplan manage the engineering phase of the JP Wright Loop Road overpass.

C. GENERAL WORK DESCRIPTION

The work will generally consist of:

1. Conceptual Plans
2. Surveying

3. Right of Way plans
4. Environmental Clearance documents
5. Coordination with railroad and utility companies
6. Design Public Involvement
7. Hydraulic Study/ Storm Water Management
8. Pavement design
9. Roadway design and plans
 - a. Preliminary design and construction plans
 - b. Final design and preparation of specifications and cost estimate
10. Bridge Plans

C. TIME FRAME

Review of qualifications is expected to occur in September. The resultant qualified consultant list will then be used by Metroplan to issue a Request for Proposal from the most qualified firms in September. The initial RFP process is expected to be completed by the end of October and contract negotiations scheduled to start in November, 2017.

Environmental approval, preliminary plans, cost estimates, and right of way plans are expected to be completed within nine (9) months from the notice to proceed. All work, including final plans and bid documents, are expected 20 months from the notice to proceed.

D. GENERAL PROVISIONS

1. Metroplan's consultant selection and contracting process is subject to applicable provisions of Federal, State and local laws and ordinances.
2. The selected firm will be required to comply with all applicable equal employment opportunity (EEO) laws and regulations, including assurance of nondiscrimination under Title VI of the Civil Rights Act.
3. It is Metroplan policy to contract with disadvantaged business enterprises (DBEs) whenever possible. Non-DBEs are requested to use DBE firms whenever appropriate and to inform Metroplan of said use.
4. Firms that are on the U.S. Comptroller General's list of ineligible contractors should not respond to this solicitation. Metroplan will not contract with said firms.
5. The Department, Metroplan, or the City will not be liable for any costs incurred in preparing, submitting, or presenting a respondent's submittals or any associated travel costs.
6. Although discussions may be conducted with respondents submitting acceptable proposals, consultant selection may be made without any discussion.
7. Metroplan reserves the right to postpone the opening and/or review of respondent submittals for cause or convenience. Metroplan also reserves the right to reject any and all proposals, in whole or in part, and to waive any information thereon.
8. If only one qualified respondent responds by the due date, Metroplan may enter into contract negotiations with that firm.

9. The contract will be cost plus fee. Metroplan shall make partial payments for work completed under the contract and satisfactorily detailed in each valid invoice and accompanying progress report.

10. The consulting firm must have a certificate of authorization to practice Professional Engineering in Arkansas. Plans shall be stamped by a Professional Engineer registered in Arkansas.

11. Coordination meetings will be conducted on an as needed basis. These meetings shall include the consultant, Metroplan, the Department, the City, and others, as appropriate. The consultant shall schedule these meetings with Metroplan and compile and distribute meeting minutes, as required.

12. The contract will include a liquidated damage clause, in the event that consultant services are not satisfactorily completed by the contractual deadline.

13. The selected consultant must submit an audit report including a report on internal control and compliance. The report shall meet the reporting guidelines provided in the applicable financial audit standards sections of the Generally Accepted Government Auditing Standards (GAGAS), and shall include **positive assurance** that all costs included in the recommended rate are allowed by **48 CFR Part 31**. An indirect cost rate, set by the audit, must be approved by the Department prior to executing the contract. The selected consultant must certify that any costs, which are not expressly allowable under the cost principles of the FAR of 48 CFR 31, are not included in the cost proposal.

E. CONTENTS OF RESPONDENT SUBMITTALS

Each respondent must include in their submission the following documents, so that all respondents can be effectively and fairly evaluated.

1. A Letter of Interest is required and should display a clear understanding of the project, include a positive commitment to complete the work in the specified time-period, and briefly summarize why the respondent should be selected. Address and contact information for each party in a proposed joint venture should be included.
2. Qualifications and Assurances: Respondent submittals must include a statement of qualifications and all required certifications and assurances.
 - a. Qualifications, Experience and Competence of Firm(s): Information must be included summarizing and documenting the qualifications, experience and competence of the firm(s) in relation to the contractual services anticipated. Respondents are encouraged to include, at a minimum, a Standard Form 330 **with the names and addresses of a representative list of clients/ references with which the responding firm(s) has contracted with for similar work.** [Standard Form 330 may be obtained here.](#) A firm's reputation including its responsiveness to EEO and Civil Rights will be a major factor in the selection. Certification of DBE status should be provided in order to receive special consideration.
 - b. Personnel Qualifications and Availability: Respondents must identify and summarize the relevant experience of personnel that would actually provide the anticipated contractual services. The Consultant Selection Committee

will consider the qualifications of these individuals. The use of locally based personnel and any relevant local knowledge will also be considered.

c. **Certifications and Assurances:** The certifications/assurances referenced below are required for all respondents or parties in a proposed joint venture for contractual services.

- 1) Eligible Bidder Certification (Attachment A),
- 2) Receipt of Addenda Certification (Attachment B),
- 3) Non-collusion Assurance Affidavit (Attachment C),
- 4) Disadvantaged/Women Business Enterprise (DBE) Certification (Attachment D),
- 5) Equal Employment Opportunity Certification (Attachment E),
- 6) Certification of Restrictions on Lobbying (Attachment F),
- 7) Certification of Debarment or Suspension (Attachment G).

The letter of interest and qualifications is **limited to a maximum of 5** single-sided pages of size 8 ½” by 11”, with 11-point (minimum) font, 1.15” (minimum) line spacing, and 1” (minimum) margins on all sides. Standard Form 330, clients/references list, and certification of assurances are not included in the 5 page maximum.

F. SELECTION PROCEDURE

Metroplan’s objective is to select the highest qualified firms for the services to be rendered, at compensation determined as fair and reasonable to Metroplan and its governing board. To accomplish this objective, respondents will be evaluated in a two-phase process. In the first phase, up to three top firms deemed most highly qualified, responsive and responsible to provide the services required will be selected and placed on the Qualified Consultants List.

A Consultant Qualification Review Selection Committee appointed by Metroplan will use the following criteria to evaluate respondent submittals.

<u>Part 1 Evaluation Criteria</u>	<u>Maximum Points</u>
1. Qualifications, Experience and Competence of Firm(s)	25
General and professional reputation, including responsiveness to civil rights and equal employment opportunity requirements and opportunities	
Past work performance with Metroplan/Cities	
Experience with projects of a similar nature as those advertised	

Professional staff including the education, experience, number of personnel available, and any partnerships with sub-consultants
Professional staffing experience with projects of a similar nature
Availability of professional staff

Maximum Total Points --

50

Each member of the Committee will assign up to the maximum points noted above to each criterion based on respondent submittals. Respondents will then be ranked according to their total cumulative points. Based on this ranking, the Committee may conduct interviews, at their discretion, with representatives of the top ranked firms (no more than five (5) firms). From the top ranked firms, up to three (3) firms deemed to be qualified, responsive and responsible to provide the services required will be selected.

For the second phase of evaluation, the scope of work for individual projects will be provided to these top ranked firms and proposals requested. These proposals will be evaluated in combination with their qualifications.

Following the completion of the Selection Committee's evaluation, Metroplan will enter into contract negotiations with the Committee's top-ranked firm. If a mutually satisfactory agreement cannot be negotiated with the top-ranked firm(s), said firm will be asked to document a final offer in writing before terminating negotiations. Negotiations will then be initiated with the second-ranked firm, and so forth, until a contract has been negotiated with a qualified consultant, or halted at the discretion of Metroplan. (Note: Contract award is subject to applicable provisions of Federal, State, and local laws and ordinances.)

Metroplan reserves the right to reject any and all applicants if the requirements as set forth herein are not met or if the Selection Committee deems a respondent unqualified on the basis of the Committee's overall analysis of the criteria outlined above.

This advertisement and any resulting contract shall be governed by and construed in accordance with the laws of the State of Arkansas. Any proceeding relating to any cause of action of any nature arising from or relating to this advertisement or contract may be brought only before the appropriate forum in Pulaski County, Arkansas. All information received by Metroplan regarding this advertisement is restrictive and will not be available before final contract execution of the project.

G. CLARIFICATION OF SPECIFICATIONS

Requests for clarification of any items, requirements or specifications contained in this RFQ/RFP must be received in writing at Metroplan offices no later than 11:00 a.m. CDT,

August 28, 2017. Upon receipt of a written request for RFQ/RFP clarification, Metroplan shall post a response on its website (www.metroplan.org) no later than August 29, 2017. Notify of the clarification will be e-mailed to all firms previously e-mailed regarding the RFQ/RFP. Firms that were not previously contacted by Metroplan, should provide an e-mail or a postal address to facilitate future communications. Firms may also request that a written copy of Metroplan's RFQ/RFP clarifications be forwarded to them by U.S. mail. This procedure shall be followed in order to ensure competitive fairness by providing all prospective respondents with the same information. Metroplan's telephone number is 501-372-3300 (hearing impaired may dial 711). Please forward all RFQ clarification requests to Mr. Casey R. Covington by faxing to 501-372-8060, e-mailing to covington@metroplan.org or sending via mail to:

Casey Covington, PE, AICP
Deputy Director
Metroplan
501 W. Markham, Suite B
Little Rock, AR 72201

H. RESPONDENT SUBMITTALS

To be considered, one (1) set of paper responses and one (1) compact disc (containing PDF files) of the required submittals must be received at the address provided above by 11:00 a.m. CDT, Tuesday, September 5, 2017. Any response received after this deadline will not be considered. Respondent submissions will be opened at Metroplan offices on the due date after 11:00 a.m. As soon as possible thereafter, each member of the consultant Selection Committee will be provided a set of documents that includes each respondent's letter of interest and qualifications.

Respondent submissions not in compliance with the instructions contained in this section and/or not containing the information requested may, at Metroplan's discretion, be declared "non-responsive" and disqualified from consideration. Any responses received after this deadline will not be considered.

ATTACHMENT A
ELIGIBLE BIDDER CERTIFICATION

The Bidder warrants and represents that neither the Bidder, any of its employees or its subconsultants:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three (3) year period preceding this Bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph two (2) of this certification; and
4. Have not within a three-year period preceding this application/Bid had one or more public transactions (Federal, State, or local) terminated for cause or default.

The person executing this certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understand that the provisions of 31 U.S.C. Sections 3801 Et. Seq are applicable thereto.

BIDDER NAME

BY: _____
Signature

TITLE: _____

ATTACHMENT B
RECEIPT OF ADDENDA CERTIFICATION

The Bidder warrants and represents that it has received all Addenda (if any) issued by Metroplan in connection with this Request for Proposal.

BIDDER NAME

BY: _____
Signature

TITLE: _____

ATTACHMENT C
NON-COLLUSION ASSURANCE AFFIDAVIT

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the person responsible for the final decision as to the price(s) and amount of this Bid or, if not, that I have written authorization, attached to this certification, from that person to make statements set forth below on his or her behalf and on behalf of the Bidder.

2. I further attest that:
 - a. The price(s) and amount of this Bid have been arrived at independently without consultation, communication or agreement for the purpose of restricting competition with any other consultant, bidder or potential bidder.

 - b. Neither the price(s) nor the amount of this Bid has been disclosed to any other firm or person who is a bidder or potential bidder on this project, and will not be so disclosed prior to the Bid Opening Date.

 - c. No attempt has been made or will be made to solicit, cause or induce any firm or person to refrain from bidding on this project or to submit a bid higher than the bid of this firm, or any intentionally high or non-competitive bid or other form of complementary bid.

 - d. The Bid of this Bidder is made in good faith and not pursuant to any agreement or discussion with or inducement from, any firm or person to submit a complementary bid.

 - e. This Bidder has not offered or entered into a subcontract or agreement regarding the purchase of materials or services from any firm or person, or offered, promised or paid cash or anything of value to any firm or person, whether in connection with this or any other project, in consideration for an

agreement or promise by any firm or person to refrain from bidding or to submit a complementary bid on this project.

f. This Bidder has not accepted or been promised any subcontract or agreement regarding the sale of materials or services to any firm or person, and has not been promised or paid cash or anything of value by any firm or person, whether in connection with this or any other project, in consideration for this Bidder submitting a complementary bid, or agreeing to do so, on this project.

g. I have made a diligent inquiry of all members, officers, employees, and agents of this Bidder with responsibilities relating to the preparation, approval or submission of this Bidder's Bid on this project and have been advised by each of them that he or she has not participated in any communication, consultation, discussion, agreement, collusion, act or other conduct inconsistent with any of the statements and representations made in this affidavit.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT D
DISADVANTAGED/WOMEN BUSINESS
ENTERPRISE CERTIFICATION

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. The Bidder is a Disadvantaged Business Enterprise and meets the eligibility requirements detailed in 49 CFR Part 26.

 - b. The Bidder is certified with the Arkansas Department of Transportation's DBE/WBE program or, if the Bidder has not been certified through the Arkansas Department of Transportation, the source of the Bidder's DBE certification is: (Please insert source of DBE certification here).

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT E
EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. the policy of the Bidder is to insure equal opportunity and non-discrimination, and require that all employees and applicants for employment be treated equally regardless of race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, and,

 - b. that the Bidder agrees to treat each person fairly without regard to race, color, sex, national origin, religion, age and physical handicap not related to the ability to perform a particular job or occupation, with respect to employment, upgrading, promotion, demotion, transfer, layoffs, termination, rates of pay or other forms of compensation, selection for training, and other terms and conditions of employment and further agrees to include in all recruitment advertising the notation that it is "An Equal Opportunity Employer", and to register its employment advertisements with such minority and female community organizations as appropriate.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT F
CERTIFICATION OF RESTRICTIONS ON LOBBYING

The undersigned, having first been duly sworn, on and under oath, state and affirm as hereinafter stated:

1. That I am the Bidder or I have been authorized by the Bidder to make statements set forth below on behalf of the Bidder.

2. I further attest that:
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the Bidder, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement, and

 - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an office or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the Bidder shall complete and submit the Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions, and,

 - c. That the Bidder shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

d. The undersigned acknowledges that this certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S.C. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____

ATTACHMENT G
CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED
DEBARMENT, AND OTHER RESPONSIBILITY MATTERS

A. The Consultant certifies, to the best of its knowledge and belief, that—

1. The Consultant and any of its Principals—

- a. Are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any federal or state agency;
- b. Have not, within a three (3)year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- c. Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in Subsection 31.1.1.2; and,
- d. The Consultant has not within a three (3)year period preceding this offer, had one or more contracts terminated for default by any federal or state agency.

B. *Principals*, for the purposes of this certification, means officers; directors; owners; partners; and, persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions). This certification concerns a matter within the jurisdiction of an agency of the United States and the making of a false, fictitious, or fraudulent certification may render the maker subject to prosecution under Section 1001, Title 18, United States Code, as well as any other applicable federal and state laws.

C. The Consultant shall provide immediate written notice to the Owner if, at any time prior to contract award, the Consultant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

D. The certification is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Consultant knowingly rendered an erroneous certification, the Owner may terminate the contract resulting from this solicitation for default in addition to any other remedies available to the Owner.

E. Further Affiant sayeth not.

Made and executed this ____ day of _____, 2017

Affiant's Signature

SUBSCRIBED AND SWORN to before me a Notary Public of and for the County and State
aforesaid on this _____ day of _____, 2017.

Notary Public

My Commission Expires: _____